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BY THE HOUSE OF DELEGATES,

February 8, 1858.

Read and ordered to be printed.

By order,

J. W. CLAYTON, *Chief Clerk.*

MEMORIAL

OF

ANDREW B. CROSS,

FOR THE

SUPPRESSION OF ABUSES AND PROTECTION OF PERSONS CONFINED IN PRISONS, CONVENTS AND MAD-HOUSES, IN THIS STATE.

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MEMORIAL.

To the Honorable,
The General Assembly of Maryland.

The undersigned, a citizen of Maryland, at the last meeting of the Legislature, in common with thousands of citizens of the State presented a memorial, representing to the General Assembly a grievance of which they had just cause to complain, and which they felt it their duty as well as privilege, to present to the Legislature and to seek such action as would secure the end concerning which they petitioned.

It is due to your petitioner, and the great principles which were involved in the petition, to say that the committee to whom they were referred, greatly misapprehended the memorial, as will be seen by reference to the report of the committee upon it.

The memorial set forth the fact, that there were private prisons in the State, belonging to and under the control of a despotic foreign power, with rules and laws established in the time, when the most despotic principles prevailed in Europe, that have ever crushed the liberty of man; that these rules are the established rules in all these prisons in this country, that the same despotism prevails in them now in our midst that did in Europe, when this despotic power trampled upon the rights and liberties of the people, and made even kings and kingdoms bow and obey their despotic command.

These prisons under these rules and laws have quietly, and without suspicion on the part of many, grown up in our country, beginning with great modesty, and containing very quietly, until they were planted in many of our States, and with funds furnished from different sources, they have aquired a size and present as formidable an institution as any of our county jails or State prisons.

Within a few years, men of high standing under this despotic power, and assemblies of the Delegates under this power have published that all the decrees and laws under which they oppressed Europe in past ages are in force in this country.

Facts have been presented in this State which show that they are in force here; that individuals have been confined in prison for long years, in violation of their personal rights, their property taken from them, and they subjected to hardship and punishment, under jailors who are the agents of this foreign power, and according to those oppressive laws.

A particular case, out of a number, was singled out, which had occurred in the City of Baltimore, the name of the person, the place, the time and the circumstances attending it. This individual was a woman, born in the State of Maryland. The fact was mentioned that she had twice escaped from the prison. That when out the second time she declared that she had no friends to whom she could apply for aid, and *appealed to the public for protection.*

After being rescued and for a season placed in the hospital, she was removed to Mount Hope, *a private mad house,* under the agents and keepers, who are appointed by this same foreign despotic power. Here she was professedly maintained on their charity. But in truth they had many years before compelled her to give up to them all the property which she had inherited, and for nineteen years kept her under rules which border on starvation, and which would be most effectual in reducing the body and mind to a state of the greatest feebleness.

Your memorialist would respectfully represent to your Honorable body, that this fact was confirmed by the Hon. Mr. Merrick and Mr. Harris, in the speeches which they made in the last assembly, against the memorial. If the facts as stated by Mr. Merrick and Mr. Harris be true, this is a case of most lamentable character, and is fraught with a cruelty and probable fraud, which, as legislators, you are bound to consider.

1. They said, she was *insane* and had been so from her youth. If this be true, why was she not put into an hospital, instead of a convent prison?

2. The rules of the prison in which she was placed were such that they would induce insanity in the strongest mind.

3. She was confined there nineteen years and would have been there until the present time, if, when she escaped the second time, the people had not interfered and said she should not return.

4. It was not until the second escape, and the determination of the people not to permit her to return, that it was rumored that she was of weak mind.

5. If she was of weak mind and insane, how could she have been competent to give herelf or property to the convent? If so, the

imprisoning of the woman was against law, is one of the grossest outrages, and the receiving or taking of her property is an enormous fraud.

The whole case is one which should be investigated by the State, which is the parent and protection of her orphan and insane children. She should be taken care of, and her property taken from these fraudulent trustees and put in the charge of responsible persons, for the benefit of herself and her heirs.

I confine this memorial to this specific case, because in it is presented every feature of this question.

1. The protection of a young woman from insult, abuse, punishment and imprisonment.

2. The protection of the property, from the fraud and robbery which has every where attended these prisons, and preserving the same to the lawful heirs of the individual.

No man can make any just complaint against this memorial. The only parties that can object, and who through others do raise the clamor, are the men charged in the memorial with the inveigling of young women into these prisons, robbing them of their property, and keeping of them in prison to serve the purposes of the vile and and unprincipled men who, enslave their bodies and seize their property.

If any slave dealer in the State of Maryland would build a prison, and then inveigle free colored men, or women or girls, and keep them in prison until he had the opportunity to send them away and sell them as slaves, there is not a community in the State of Maryland that would allow it for one week.

But in our counties and cities, the agents of this foreign power build prisons, calling them convents, and then by cunningly devised plans, skillfully executed, entice into the meshes of their nets, unsuspecting young women, whom they coax and court until they have so deluded and overcome them, as to get them to think that they enter of their own accord. Before them they spread the enchanting scene which bewilders and intoxicates them, until they have secured them and their property in such a fixed state that neither can be taken from them. Then they become the drudges and dogs to do their bidding, to come and go, to any and all parts of the earth, without daring to express an unwilling desire.

As a citizen of the State of Maryland, I do most earnestly protest before the people of Maryland against the permitting of such institutions without the most rigid application of law to protect the individual, and I do pray Almighty God to hasten the day when these factories for the enslaving and robbing of young American women, shall be held in as utter abhorrence as we hold the slave factors, who rob the native Africans of their sons and daughters.

The enormity or this slavery of young women, and robbing

them of their property is, that it is done in the name of religion, and this covering thrown over it, has made the people as well as our Legislators hesitate, lest they should be meddling with religion. Suppose a man who was kidnapping free colored women, and carrying them into slavery, or stealing slaves from our State and carrying them into other States for sale, should plead that he was doing this on religious principles, and we must not interfere with his religious principles. Is there any man in the State so weak, as for one moment to be influenced by the suggestion?

The time has come when such pretexts will not avail. The eyes of the people have gradually opened and no man can shut them. There is a general feeling that something should be done in this matter. The memorials to the last Assembly indicated the depth of feeling among the people.

The inquiry is made what should be done? How and when?

1. So much should be done, as will secure a young woman from being compelled to go into one of these prisons against her will. No parent, or friend, or guardian, should be permitted to place any young woman in one of these prisons against her will, much less should any Priest be permitted to compel any one, as Priest Gildea did with Miss O'Neal, or when she has escaped, be permitted to compel her to return, as the laws and rules of the prison require.

2. No one should be permitted to go there, or be placed there to remain, before she is of lawful age.

3. No insane person should be permitted to enter.

Surely no sane man, who is not the maddest of bigots, and concerned in the enticing of individuals, can object to any of these principles.

That the Legislature have the right and power to pass such laws as will protect these young women of our country, who are white and free born, is as clear as it can be, to pass laws against the kidnapping of colored women.

That this thing, if right and proper, ought to be done, who will deny? If it ought to be done, why not by this Legislature? If one single soul is unjustly detained in one of these prisons, and there punished in violation of their rights, it is the solemn duty of our Legislature, and no duty can more imperatively claim their attention, to adopt such measures as shall immediately relieve that individual, and throw a safeguard around any that may be there, or any that may be in danger of such imprisonment.

You are all aware that this subject is not brought before you by stealth. It has been made the subject of public, and free and full discussion, in the press and before the people. We would not have any thing done which will not approve our own consciences, and stand the test of the most rigid investigation. The subject of Private Mad Houses is also a part of this question which deserves your consideration.

Hoping that your honorable body will adopt some measure which will relieve the fears and anxieties of many of your fellow-citizens, and throw an effectual safeguard around all who may be so unfortunate as to fall into the hands of any of these agents and become subjects in their prisons—Your memorialist would, as in duty bound, respectfully pray.

ANDREW B. CROSS.

BALTIMORE, Feb. 3d, 1858.